**City of Seattle**
Edward B. Murray, Mayor

**Department of Planning and Development**
D. Sugimura, Director

**CITY OF SEATTLE**
**ANALYSIS AND DECISION OF THE DIRECTOR**
**OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 3014594

**Applicant:** Marc Jenefsky, Bazan Architects

**Address of Proposals:** 133 18th Avenue E

## SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 4-story structure containing 64 residential units with parking for 36 vehicles, and storage for 57 bicycles. Existing structure to be demolished.

The following approvals are required:

The following Master Use Permit components are required:

**Design Review** (SMC 23.41)

Development Standard Departure to allow larger garden window projection into the required setback. (SMC 23.45.518 H)

**SEPA-Environmental Determination** (SMC 25.05)

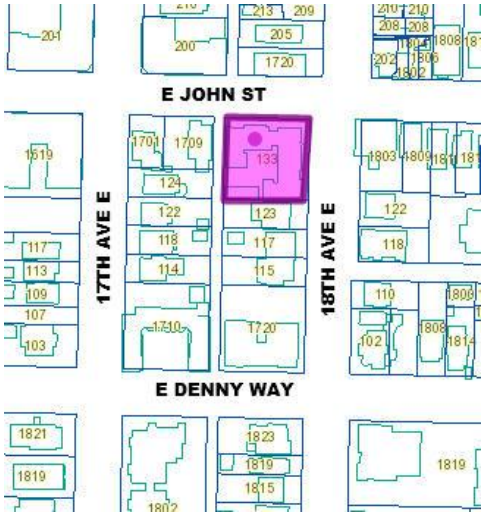
**SEPA Determination:** [ ] Exempt [X] DNS [ ] MDNS [ ] EIS

[ ] MDNS with conditions

[ ] DNS involving non-exempt grading or demolition or involving another agency with jurisdiction.

Site Description:

The subject site is located on the southwest corner of E John Street and 18th Avenue. The site consists of one existing parcel, containing a multifamily structure. The subject lot is located approximately 3-5 feet above E John Street and 5-6 feet above 18th Avenue E. Existing rockeries separate the flat lot from the existing improved rights-of-way.




The site is zoned Lowrise (LR3) multifamily residential, as are the properties to the north, south, east and west.

ECAs:

No Environmentally Critical Areas have been identified on site.

Access:

Vehicular access is available from an improved 16 foot alley along the west property line, E John Street and 18th Avenue.

Surrounding Development and Neighborhood Character:

The neighborhood is characterized by small single family homes, low- and mid-rise apartment and condominium buildings, most of which date from the early to mid-twentieth century. Older buildings are typically 3-4 story brick structures, while later buildings tend to be wood frame or concrete structures, ranging from 3-5 stories. Recent developments are typically wood frame buildings, 4-6 stories in height. Most of these buildings occupy one or two parcels, creating a fairly consistent scale of development throughout the neighborhood. Many of the existing buildings are set back from the street and from adjacent property lines, while others, particularly larger buildings, are built out to their property lines. Brick is the most common cladding material, particularly in older buildings, while later buildings are clad in a variety of materials including wood, brick, stone and concrete masonry.

Most of the buildings have parking access from the alley along the west property line.

The area includes sidewalk, curb, and gutter, and appears to have a high level of pedestrian activity. The area is well served by transit and is developed with mostly higher density multi-family residential structures.

**EARLY DESIGN GUIDANCE MEETING: March 27, 2013.**

**DESIGN PRESENTATION**

**The EDG packet includes materials presented at the EDG meeting, and is available online by entering the project number(s) (3014594) at this website:**

**http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.**
**The EDG packet is also available to view in the 3014594 file, by contacting the Public Resource Center at DPD:**

**Mailing Address:** **Public Resource Center**
700 Fifth Ave., Suite 2000
P.O. Box 34019
Seattle, WA 98124-4019

**Email:** PRC@seattle.gov

**PUBLIC COMMENT**

Several members of the public attended this Early Design Review meeting. The following comments, issues and concerns were raised:

- Discouraged use of decks on south facing façade: because decks will adversely impact privacy for the neighbor directly south.
- Felt the building scale and massing is overwhelming for the site.
- Encouraged a more prominent, welcoming primary entry along 18th Avenue.
- Would like to see more housing provided for families rather than just workforce housing.
- Concerned too many small units provided within the proposed building, would like to see a shorter building with larger units and more parking.
- Encouraged architectural concept and material application to reinforce the historic building context and neighborhood charm.
- Felt the deep stair wells accessing units on E John Street did not relate to existing neighborhood context and created larger bulk.
- Encouraged the building window and balconies be designed to provide additional privacy for adjacent residential structures facing the proposed building. Encouraged light and air but minimize direct site lines.
- Concerned the proposed building will not meet zoning code once the Master Use Permit is submitted. Specifically feel that the setback and FAR are not per code standards.
- Preferred courtyard facing the alley.
- Would like to see larger planters rather than a few smaller planters to maximize dense landscaping.
- Noted large planting strip on 18th Avenue without overhead power lines will allow larger street trees within the right-of-way.
- Appreciated outreach to the neighborhood.
- Concerned about solar access to the buildings across the street. Encouraged use of upper level setbacks to provide more light to the adjacent sidewalk.

- Felt the proposed Tudor architectural concept works with smaller 2-story structures but does not translate to the proposed 4-story building. Would prefer a brick structure.
- Concerned about rooftop HVAC equipment and noise impacts to adjacent structures.
- Felt the provided parking is insufficient given the lack of on street parking in the neighborhood. Noted tenants of the existing building would rent parking if available.
- Appreciated the secure bike parking provided within the garage space.
- Felt proposed building design is too modern and does not relate to existing neighborhood character.
- Concerned about light spillage onto adjacent residential buildings.

## PRIORITIES & BOARD RECOMMENDATIONS

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following siting and design guidance.

### EARLY DESIGN GUIDANCE (MARCH 27, 2013):

1. **Massing and Building Location.**
   The Board felt the preferred Massing Option A should move forward to MUP submittal with the following guidance:

   a) The Board agreed Massing Option A provided the better design solution by locating the courtyard facing west allowing additional afternoon sunlight to the space while also minimizing the bulk of structure along the alley and units facing south (A-7, B-1).

   b) The preferred alternative was revised prior to the Early Design Guidance Meeting to provide 15 foot south side setback between the proposed structure and the south property line. Upper level usable decks were removed and replaced by Juliet balconies. The Board preferred the revision to mitigate impacts on privacy and bulk to the adjacent structure. The revised massing proposal should be maintained as the design progresses (A-5, B-1).

2. **Further Treatment of Setbacks along E John Street.** A number of subterranean units are proposed facing and with direct access to E John Street. Setbacks provided at the perimeter of the site should be developed to provide safe semi-private access.

   a) The Board was concerned about the viability of units below grade. The proposed subterranean entrances along E John Street must be developed with sufficient width to provide viable, safe, defensible space with secure entry points for residents. Entrances must incorporate security measure to ensure personal security and also provide welcoming spaces for users (A-3, A-6, D-7).

   b) The Board noted that provided stairwells must have lighting at all times of day. During daylight hours the stairwells must be designed to allow natural light. At night the space must include low level lighting to avoid dark hiding spaces (D-7).

c) The Board noted the extensive street landscaping present on site and within the existing neighborhood context. The Board encouraged the applicant to utilize the setback space on site and within the right-of-way to provide a dense landscaping area and maintain landscaping "lushness" consistent with the adjacent streetscape (E-1).

d) At the next meeting, the Board wished to see additional details for the treatment of the subterranean access and sidewalk experience. The Board requested imagery and drawings from the sidewalk and stair well locations. The Board encouraged the applicant to research successful case studies and examples of similar conditions to inform the design including key architectural and landscaping features that create successful spaces (A-2, A-3, A-6, D-7).

e) The Board felt the street setback should include a combination of landscaping, planters, fencing, lighting and pathways that enhance the pedestrian environment. The Board suggested the applicant research use of simplified planters to maximize the landscaping space provided (A-2, A-3, A-6, D-7).

**3. Site Analysis and Architectural Context.** New buildings for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character of neighboring buildings.

a) The Board would like to see the preferred massing A option evolve to communicate a clear design parti. The Board noted the design parti should be reflective of existing architectural context (C-1, C-2).

b) The Board requested a thorough comprehensive site analysis of the existing neighborhood architectural context. The applicant will need to demonstrate the evolution of the architectural concept is responsive and complementary to the existing neighborhood context and material application. The Board suggests utilizing an analysis of existing good case studies in the neighborhood to inform the design progress (C-1, C-2).

c) The Board noted that the majority of structures within the neighborhood of similar scale demonstrated a simpler architectural concept with durable brick and limited strategic use of ornamentation and architectural detailing. The Board was not convinced the proposed Tudor style, including additional ornamentation and gabled/mansard roof form were harmonious with the existing context. At the next meeting, the applicant will need to reconcile the design choices within the existing neighborhood context (C-1, C-2).

d) The Board would prefer to use of a few high quality durable materials, rather than many materials (C-4).

e) The Board would like more information showing how the design parti and material application will reduce the scale of the building (B-1, C-2 C-4).

**5) Primary Entry on 18th Avenue.** The primary building entry is located on the 18th Avenue façade near the center of the building. The primary entry is located approximately 6 feet above adjacent sidewalk grade and is accessed by a ramp and stair within the street side setback.

a) The Board requested more detail on how the primary entry will be accessed from the street given the substantial grade change. The preferred massing alternative locates the entry stair is provided parallel to the building façade and sidewalk rather than as a direct approach. The Board requested the applicant review the placement of entry stairs to minimize the grade transition and provide a direct, gracious stair approach to the primary entry (A-3 and A-6)

b) The Board felt the design of the primary entry on 18th Avenue should be integrated with the overall design parti while encouraging a strong point of entry consistent with existing neighborhood context (A-3, A-1, C-2).

c) The Board encouraged the use of a landscaping transition between the building and the street property line. The Board noted that larger planters provide opportunities for denser landscaping, but the project must also limit height of retaining walls to provide a human scale pedestrian experience along the street (D-3, E-1, E-2).

4. **Maximize Privacy.** The development should provide privacy for the adjacent structures.

a) The Board requested a privacy study in elevation views documenting existing windows whose privacy will be impacted by proposed development. The location of existing windows should inform the location of proposed windows. Balconies and windows should be positioned to minimize impacts to adjacent residents. Where windows or balconies are directly across or may have privacy impacts on adjacent structures consider locating windows to be high or include architectural treatment such as louvered rails to obstruct directly line of site into adjacent structures (A-5).

6) **Develop Material Palette.** The material palette should consist of durable materials that enhance the structure, add variety to the architectural form and knit building into the neighborhood context

a) The Board was supportive of the standard brick material presented within the design package. The Board encouraged use of durable, quality materials respectful of existing materiality context of the established Capitol Hill neighborhood. The Board agreed the building's corner location plays a prominent role in the overall neighborhood context and should be designed and executed with attention to long term quality (A-10, C-4).

b) The Board felt the materiality design could progress to be become simpler utilizing minimized palette of simple durable materials (C-4)

**7) Circulation**

a) The Board felt that the bike entry approach from the corner must be resolved so that the bike path interior to the structure is sufficient width at each corner to provided sufficient space for bike movements.

## RECOMMENDATION MEETING: MARCH 26, 2014

**The packet includes materials presented at the Recommendation meeting, and is available online by entering the project number (3014594) at this website**

**http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp**

**or contacting the Public Resource Center at DPD:**

**Address:** **Public Resource Center**
700 Fifth Ave., Suite 2000
Seattle, WA 98124

**Email:** PRC@seattle.gov

## PUBLIC COMMENT

The following comments, issues and concerns were raised:

- Expressed appreciation for the 15 foot setback provided along the south property line.
- Would like to see a bracketed cornice similar to the building at 1815 17th Avenue.
- Expressed appreciation for the amount of parking provided and size of units provided.
- Expressed gratitude for the collaborative work and outreach with neighbors.
- Expressed support for the large windows and Juliette balconies.
- Felt the building's primary color is too creamy for neighborhood context. Concerned the building will reflect substantial light.
- Concerned about long term wear on hardy board. Would like to see the building weather well over the years.
- Noted the building on 19th and Mercer Streets provide a good example of mixed 1920s and modern architecture.
- Noted privacy study reverses window orientation for residential building across the alley and that private balconies will face existing residential windows along the alley.
- Expressed concern for the loss of privacy with nine full balconies facing the alley even though a substantial setback is provided.
- Felt the design has evolved to respond to the neighbors' concerns.
- Would like to see landscaping on the alley outside of the courtyard fence to slow traffic, provide a softer edge.
- Would like to see lighting located to avoid light glare onto adjacent lots.
- Felt trash and recycling should be located off the alley.
- Encouraged the use of mature landscaping installation to avoid additional time requirements for landscaping to provide screening.

## PRIORITIES & BOARD RECOMMENDATIONS

At the Recommendation meeting, the Board discussed the response to EDG and offered the following recommendations for the proposal to meet the applicable Design Review Guidelines identified at the EDG meeting.

1. **Privacy.** The Board agreed the revised design, which locates the building 15 feet from the south property line, maintained a massing responsive to EDG guidance.

    a) The Board recommended a condition to increase the height and depth of landscaping between the private deck on the south façade and the property line The Board noted that the additional landscaping required may reduce the size of the deck (A-5, E-2).
    b) The Board recommended a condition to provide additional vertical landscaping between the private decks on the west façade and the alley property line to achieve additional privacy along the alley (A-5, E-2).
    c) The Board felt the remainder of the decks with the substantial setback along the alley were treated well and should be maintained as is (A-5, E-2).

2. **Ground Level Treatment.** The Board felt minor modifications to the ground level treatment along the alley would enhance the design.

    a) The Board recommended a condition to revise the entry stairs to provide an angled, more open, gracious stair approach (A-3, A-6).
    b) The Board recommended a condition to locate the decorative alley security fence inside a landscape buffer at the alley lot line to achieve a softer transition between the building's courtyard and the single family homes across the alley (A-5, E-1).
    c) The Board recommended a condition to use mature plants at landscaping installation to achieve the lushness and privacy screening demonstrated in the recommendation packet (A-5, E-1).
    d) The Board recommended a condition focus lighting on the building and pedestrian pathway to provide safe spaces while avoiding avoid light spillage and glare onto adjacent properties (A-5).

3. **Materials.** The Board expressed concerned the primary color choice may be too light. The Board supported the material concept but felt the color should be resolved within the neighborhood context.

    a) The Board recommended a condition that the applicant works with the planner before construction to study and choose a color on site. The Board directed the primary color choice should be richer, less reflective, more muted, and draw on cues from the neighborhood context (C-1, C-4).
    b) The Board noted the brick color, sienna, may be fined tuned to produce a better color combination once the primary building color has been decided (C-1, C-4).
    c) The Board recommended condition to provide details within the Master Use Permit drawings for the brick window wrap, multi-part cornice, belly band, bay window panel window insert. Each detail shall include the thickness and relief. All details should be completed in a cohesive style (C-1, C-4).

## DESIGN REVIEW GUIDELINES

The Board identified the following Citywide Design Guidelines of highest priority for this project. The specific guidelines are summarized below. The full text of the guidelines is available on the City of Seattle Department of Planning and Development website.

**A-1** **Responding to Site Characteristics. The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.**

**A-2** **Streetscape Compatibility. The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.**

**A-3** **Entrances Visible from the Street. Entries should be clearly identifiable and visible from the street.**

**A-5** **Respect for Adjacent Sites. Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.**

**A-6** **Transition Between Residence and Street. For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.**

**A-7** **Residential Open Space. Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.**

**A-8** **Parking and Vehicle Access. Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties, and pedestrian safety.**

## B. Height, Bulk and Scale

**B-1** **Height, Bulk, and Scale Compatibility. Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk, and scale between anticipated development potential of the adjacent zones.**

**C-1** **Architectural Context. New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.**

**C-2** **Architectural Concept and Consistency. Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its facade walls.**

**C-3** **Human Scale. The design of new buildings should incorporate architectural features, elements, and details to achieve a good human scale.**

**C-4** **Exterior Finish Materials. Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.**

**D-1** **Pedestrian Open Spaces and Entrances. Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.**

**D-3** **Retaining Walls. Retaining walls near a public sidewalk that extend higher than eye level should be avoided where possible. Where higher retaining walls are unavoidable, they should be designed to reduce their impact on pedestrian comfort and to increase the visual interest along the streetscapes.**

**D-7** **Personal Safety and Security. Project design should consider opportunities for enhancing personal safety and security in the environment under review.**

**D-8** **Treatment of Alleys. The design of alley entrances should enhance the pedestrian street front.**

**E-3** **Landscape Design to Address Special Site Conditions. The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.**

**E-1** **Landscaping to Reinforce Design Continuity with Adjacent Sites. Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.**

**E-2** **Landscaping to Enhance the Building and/or Site. Landscaping, including living plant material, special pavements, trellises, screen walls, planters, site furniture, and similar features should be appropriately incorporated into the design to enhance the project.**

## DEVELOPMENT STANDARD DEPARTURES

**The Board's recommendation on the requested departures is based upon the departure's potential to help the project better meet these design guideline priorities and achieve a better overall design than could be achieved without the departures.**

1. **Projections into Required Setbacks (SMC 23.45.518 H):** The Code requires garden window projections into required setback to begin 30 inches above the finished floor, be no wider than 8 feet and limited to 6 feet in height.

   The applicant proposes to windows at the finished floor level, 9'-2" high and 12'-6" wide. The windows are shown on Page 38 in the diagrams in the presentation packet.

   The Board unanimously approved the requested setback departure. The Board noted the bay windows provide modulation, balance and symmetry for the large facades, accentuate the corner location, and further the design parti and architectural concept while being responsive to the existing neighborhood context better meeting Design Guidelines A-10 Corner Lots, B-1 Height, Bulk and Scale, C-1 Architectural Context, C-2 Architectural Concept and Consistency and C-4 Exterior Finish Materials.

## BOARD RECOMMENDATION

**The recommendation summarized below was based on the design review packet dated March 26, 2014, and the materials shown and verbally described by the applicant at the March 26, 2014, Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, the four Design Review Board members recommended**

## DECISION – DESIGN REVIEW

The proposed design is **CONDITIONALLY GRANTED**.

## SEPA ANALYSIS

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05)

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated September 6, 2013. The Department of Planning and Development has analyzed and annotated the environmental checklist submitted by the project applicant, reviewed the project plans and any additional information in the file, and pertinent comments which may have been received regarding this proposed action have been considered.

As indicated in the checklist, this action may result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, "Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" subject to some limitations.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation for many short and/or long term impacts. Applicable codes may include the Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. Additional discussion of short and long term impacts is found below.

PUBLIC COMMENT:

The public comment period ended on July 3, 2014. Multiple comment letters were received. Public comments included concerns regarding lack of parking provided, construction impacts and concerns with the aesthetics of the proposed structure. A limited number of commenters supported higher density without providing additional parking.

Short Term Impacts

The following temporary or construction-related impacts are expected: temporary soil erosion; decreased air quality due to increased dust and other suspended air particulates during excavation, filling and transport of materials to and from the site; increased noise and vibration from construction operations and equipment; increased traffic and parking demand from construction personnel traveling to and from the work site; consumption of renewable and non-renewable resources; disruption of utilities serving the area; and conflict with normal pedestrian movement adjacent to the site. Compliance with applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment.

Noise - The project is expected to generate loud noise during demolition, grading and construction. These impacts would be especially adverse in the early morning, in the evening, and on weekends. The Seattle Noise Ordinance permits increases in permissible sound levels associated with construction and equipment between the hours of 7:00 AM and 7:00 PM on weekdays and 9:00 AM and 7:00 PM on weekends. Most of the surrounding properties are developed with housing and will be impacted by construction noise.

The limitations stipulated in the Noise Ordinance are not sufficient to mitigate noise impacts; therefore, pursuant to SEPA authority, the applicant shall be required to limit periods of construction activities (including but not limited to grading, deliveries, framing, roofing, and painting) to non-holiday weekdays from 7:00 AM to 6:00 PM, unless modified through a Construction Noise Management Plan, to be determined by DPD prior to issuance of a demolition, grading, or building permit, whichever is issued first.

Construction Parking and Traffic - During construction, parking demand is expected to increase due to additional demand created by construction personnel and equipment. It is the City's policy to minimize temporary adverse impacts associated with construction activities.
Increased trip generation is expected during the proposed demolition, grading, and construction activity, with haul routes restricted to nearby arterials. The immediate area is subject to traffic congestion during the PM peak hours, and large trucks turning onto arterial streets would be expected to further exacerbate the flow of traffic.

Pursuant to SMC 25.05.675.B (Construction Impacts Policy), additional mitigation is warranted. To mitigate construction haul route and truck trip impacts, the applicant shall submit a Construction Haul Route to SDOT for approval. Evidence of this approved plan shall be provided to DPD prior to the issuance of demolition and building permits.

To mitigate construction parking impacts, the applicant shall submit a Construction Parking Plan to DPD for approval. This plan shall identify nearby off-street parking lot locations, number of stalls per lot, and distance from the subject property. The plan shall also include the peak number of construction workers anticipated at the proposed development during construction. The plan shall also identify any strategies to reduce the amount of single occupancy commuting by construction workers at the site. Approval of this plan by DPD will be required prior to the issuance of demolition and building permits.

Greenhouse gas emissions - Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

No further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

Long Term Impacts

Long term or use-related impacts are also anticipated as a result of this proposal, including: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased traffic in the area and increased demand for parking; increased demand for public services and utilities; loss of plant and animal habitat; and increased light and glare.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Drainage Code which requires on site detention of Stormwater with provisions for controlled tight line release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code and Design Review process which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term impacts, although some impacts warrant further discussion.

Greenhouse gas emissions - Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

No further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

Parking and Traffic - The applicant submitted a Transportation Impact Analysis (Transportation Impact Analysis by Gibson Traffic Consultants, dated September 2013).

The 133 18th Avenue E development is anticipated to generate 222 new daily trips, 15.6 new AM peak-hour trips and 20.6 new PM peak-hour trips per ITE data.

DPD's Transportation Planner has reviewed the Transportation Impact Analysis and determined additional SEPA mitigation is not necessary.

The Transportation Impact Analysis noted that the residential peak parking demand for this development is anticipated to be between 22-55 vehicles depending on the data source. The proposal includes 36 below grade parking spaces. The overflow peak parking demand is therefore between 0-19 spaces.

SMC 25.05.675.M notes that there is no SEPA authority provided for mitigation of residential parking impacts in urban villages within 1,320 feet of a street with frequent transit service. This site is located within the Madison Miller Urban Village, is also located within a mapped frequent transit service corridor, and the project is entirely residential. Regardless of the parking demand impacts, no SEPA authority is provided to mitigate impacts of parking demand from the residential components of this project, even if impacts were identified.

Height, Bulk & Scale - The project went through a Design Review process which addressed the issue of Height, Bulk & Scale; see the above Design Review Analysis for details of the process and design changes.

Pursuant to SEPA Policy 25.05.675.G.2.c: Height, Bulk and Scale, "the Citywide Design Guidelines (and any Council-approved, neighborhood Design Guidelines) are intended to mitigate the same adverse height, bulk and scale impacts addressed in these policies. A project that is approved pursuant to the Design Review process is presumed to comply with the height, bulk and scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated. Any additional mitigation imposed by the decision maker pursuant to these height, bulk and scale policies that have undergone design review shall comply with the design guidelines applicable to the project."

Additional SEPA Mitigation of height, bulk and scale is not warranted.

Summary

In conclusion, several adverse effects on the environment are anticipated resulting from the proposal, which are anticipated to be non-significant. The conditions imposed below are intended to mitigate construction impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies.

## DECISION – SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

☒ Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (c).

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued after using the optional DNS process in WAC 197-11-355 and Early review DNS process in SMC 25.05.355. There is no further comment period on the DNS.

## SEPA –CONDITIONS OF APPROVAL

Prior to Issuance of a Demolition, Grading, or Building Permit

1. If the applicant intends to work outside of the limits of the hours of construction described in condition #4, a Construction Noise Management Plan shall be required, subject to review and approval by DPD, and prior to a demolition, grading, or building permit, whichever is issued first. The Plan shall include the specific mitigation, and may include additional proposed management of construction related noise, efforts to mitigate noise impacts, and community outreach efforts to allow people within the immediate area of the project to have opportunities to contact the site to express concern about noise. Elements of noise mitigation may be incorporated into any Construction Management Plans required to mitigate any short -term transportation impacts that result from the project.
2. The applicant shall provide DPD with a copy of a Construction Haul Route, approved by Seattle Department of Transportation.
3. A DPD-approved Construction Parking Plan is required. This plan shall be provided to the Land Use Planner for review and approval (Lindsay King 206-684-9218 or Lindsay.king@seattle.gov).

During Construction

4. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7am to 6pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 6pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition. This condition may be modified through a Construction Noise Management Plan, required prior to issuance of a building permit as noted in condition #1.

## CONDITIONS - DESIGN REVIEW

Prior to Issuance of a Building Permit

5. The applicant shall provide within the building permit package evidence the primary building material color has been updated to be richer, less reflective, more muted, and draws on cues from the neighborhood context.
6. The applicant shall provide details within the Building Permit drawings for the brick window wrap, multi-part cornice, belly band, bay window panel window insert. Each detail shall include the dimensions of the thickness and relief. All details should be completed in a cohesive style.

Prior to Certificate of Occupancy

7. The applicant shall utilize mature plants in the landscaping installation to achieve the lushness and privacy screening demonstrated in the Design Review recommendation packet.

8. The Land Use Planner shall inspect materials, colors, and design of the constructed project. All items shall be constructed and finished as shown at the design recommendation meeting and the subsequently updated Master Use Plan set. Any change to the proposed design, materials, or colors shall require prior approval by the Land Use Planner (Lindsay King 206-684-9218 or lindsay.king@seattle.gov).
9. The applicant shall provide a landscape certificate from Director's Rule 10-2011, indicating that all vegetation has been installed per approved landscape plans. Any change to the landscape plans approved with this Master Use Permit shall be approved by the Land Use Planner (Lindsay King 206-684-9218 or lindsay.king@seattle.gov).

For the Life of the Project

10. The building and landscape design shall be substantially consistent with the materials represented at the Recommendation meeting and in the materials submitted after the Recommendation meeting, before the MUP issuance. Any change to the proposed design, including materials or colors, shall require prior approval by the Land Use Planner (Lindsay King 206-684-9218 or lindsay.king@seattle.gov).

Signature: (signature on file) Date: July 3, 2014
Lindsay King, Senior Land Use Planner
Department of Planning and Development

LK: drm

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